



Judicial Council of California
Administrative Office of the Courts

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CALIFORNIA RULES OF COURT

RULE 6.102

RULE 6.103

RULE 6.104

POLICY NUMBER: AOC Appendix C

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Rule 6.102. Acceptance of gifts

- (a) The Administrative Director of the Courts may accept on behalf of any entity listed in (b) any gift of real or personal property if the gift and any terms and conditions are found to be in the best interest of the State. Any applicable standards used by the Director of Finance under Government Code section 11005.1 may be considered in accepting gifts.

(Subd (a) lettered and amended effective January 1, 2004; adopted as unlettered subdivision effective September 13, 1991.)

- (b) The Administrative Director may delegate the authority to accept gifts to the following, under any guidelines established by the Administrative Office of the Courts:
- (1) The executive officer of a superior court, for gifts to the superior court;
 - (2) The clerk/administrator of a Court of Appeal, for gifts to a Court of Appeal;
 - (3) The clerk of the Supreme Court, for gifts to the Supreme Court; and
 - (4) The Director of the Finance Division of the Administrative Office of the Courts, for gifts to the Judicial Council and the Administrative Office of the Courts.

(Subd (b) adopted effective January 1, 2004.)

Rule 6.102 amended and renumbered effective January 1, 2004; adopted as rule 989.7 effective September 13, 1991.

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Rule 6.103. Limitation on intrabranch contracting

- (a) **[Definitions]** For purposes of this rule, “judicial branch entity” includes a trial court, a Court of Appeal, the Supreme Court, and the Administrative Office of the Courts.
- (b) **[Application]** This rule does not apply to:
 - (1) Part-time commissioners, with respect to services as a commissioner;
 - (2) Part-time court interpreters who are not subject to the cross-assignment system under Government Code section 71810, with respect to interpreter services provided to a court; and
 - (3) Court reporters, with respect to reporter services provided to a court.
- (c) **[Intrabranch limitations]** An employee of a judicial branch entity must not:
 - (1) Engage in any employment, enterprise, or other activity
 - (a) from which he or she receives compensation or in which he or she has a financial interest, and
 - (b) that is sponsored or funded by any judicial branch entity through or by a contract for goods or services for which compensation is paid, unless the activity is required as a condition of his or her regular judicial branch employment; or
 - (2) Contract with any judicial branch entity, on his or her own behalf, to provide goods or services for which compensation is paid.
- (d) **[Multiple employment]** This rule does not prohibit any person from being employed by more than one judicial branch entity.

Rule 6.103 adopted effective January 1, 2004.

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Rule 6.104. Limitation on contracting with former employees

(a) **[Trial and appellate court contracts with former employees]** A trial or appellate court may not enter into a contract for goods or services for which compensation is paid with a person previously employed by that court or by the Administrative Office of the Courts:

- (1) For a period of 12 months following the date of the former employee's retirement, dismissal, or separation from service, if he or she was employed in a policymaking position in the same general subject area as the proposed contract within the 12-month period before his or her retirement, dismissal, or separation; or
- (2) For a period of 24 months following the date of the former employee's retirement, dismissal, or separation from service, if he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by the court or the Administrative Office of the Courts.

(b) **[Administrative Office of the Courts contracts with former employee]**

The Administrative Office of the Courts may not enter into a contract for goods or services for which compensation is paid with a person previously employed by it:

- (1) For a period of 12 months following the date of the employee's retirement, dismissal, or separation from service, if he or she was employed in a policymaking position at the Administrative Office of the Courts in the same general subject area as the proposed contract within the 12-month period before his or her retirement, dismissal, or separation.
- (2) For a period of 24 months following the date of the former employee's retirement, dismissal, or separation from service, if he or she is engaged in any of the negotiations, transactions,

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planning, arrangements, or any part of the decision-making process relevant to the contract while employed in any capacity by the Administrative Office of the Courts.

(c) **[Policymaking Position]** “Policymaking position” includes:

- (1) In a trial court, the court’s executive officer and any other position designated by the court as a policymaking position;
- (2) In a appellate court, the clerk/administrator and any other position designated by the court as a policymaking position; and
- (3) In the Administrative Office of the Courts, the Administrative Director of the Courts, the Chief Deputy Director, and any other position designated by the Administrative Director as a policymaking position.

(d) **[Scope]** This rule does not prohibit any court or the Administrative Office of the Courts from (1) employing any person or (2) contracting with any former judge or justice.

Rule 6.104 adopted effective January 1, 2004.